

REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

By this amendment, claims 20 and 23 have been amended and claims 24-35 have been added. Claims 1-17 have been previously canceled. Accordingly, claims 18-35 are now pending.

In item 1 on page 2 of the Office Action, the Examiner indicates that a Supplemental Reissue Declaration must be received before the application can be allowed. A Supplemental Reissue Declaration will be filed once all claims are indicated as allowable.

In item 3, claims 18-23 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 19-24 of copending application number 09/672,948.

By this amendment, claims 20 and 23 have been amended to clarify that the apparatus and method received the transmitted modulated signals.

In claim 20, lines 10-11, "a transmitted signal to produce a received signal" has been changed to --the modulated signals--; and in claim 20, line 12, "received signal" has been changed to --modulated signals--. In claim 23, line 8, "a transmitted signal to produce a received signal" has been changed to --the modulated signals--; and in claim 23, line 9, "received signal" has been changed to --modulated signals--.

A terminal disclaimer is filed herewith in order to obviate the provisional obviousness-type double-patenting rejection. Accordingly, it is submitted that claims 18-23 are allowable over the prior art.

Also by this amendment, new claims 24-35 have been added. Consideration of these claims is requested.

The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

Mitsuaki OSHIMA et al.

By: 

Jeffrey R. Filipek

Registration No. 41,471

Attorney for Patentees

JRF/fs
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
May 12, 2005